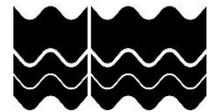


Agenda Item 6



Report to: **Schools' Forum**

Date: **20 March 2020**

Title of Report: **Briefing on place commissioning**

By: **Nathan Caine, Head of ISEND**

Purpose of Report: **To update Schools' Forum on the commissioned places in specialist facilities, special schools and FE colleges in 2020/21 and future funding arrangements for the High Needs Block from 2023.**

1. **Background**

- 1.1 Over the last three years, the Local Authority has placed a significant emphasis on the effective commissioning of specialist and post-16 SEN placements to align with demand and maximise capacity of provision. Historically, there had been year-on-year under occupancy in specialist settings and an exponential growth in the requests for the numbers of learners requiring High Needs funding in the FE sector. From 2017/18 onwards, the Local Authority has established a commissioning dialogue with schools and colleges that ensures that there is a much better synergy between the actual demand and provision available and has resulted in greater efficiencies in the High Needs Block. This paper provides an overview of the commissioning arrangements for the next academic and identifies how we intend to use these to address growing demand.
- 1.2 Over the last 4 years, many Local Authorities have had significant challenges in the sufficiency of the High Needs Block to meet the costs of provision. East Sussex has worked hard to ensure that, since 2017, all High Needs SEN costs are met within the envelope of funding, provided by the government. This paper identifies the current government thinking on funding arrangements from 2023 and the potential impact on East Sussex.

2. **Commissioning Arrangements 2020/21.**

- 2.1 In 2019, the Local Authority commissioned an external organisation to produce a cohort-led forecasting model for East Sussex pupils. This model looks at the historical pathway pupils with EHCPs take and projects this forward onto the current population. This model aligned with our local predictions and posits that there will continue to be an increase in the number of EHCPs above general population growths until 2023/24 when the increase will level out and match demographic changes. This corresponds to a growth of between 500 and 600 EHCPs over the next 2-3 years.
- 2.2 Across all areas of need, the main growth areas continue to be with pupils with Autism and those with Social, Emotional and Mental Health needs. In addressing this, in 2019/20, we have:
 - Opened 2 new specialist ASD facilities in primary schools with 8 places in each (Grovelands and Churchwood);
 - Increased provision at Cuckmere House for children with ASD and SEMH needs – an additional 16 places;

- Commissioned pilot provision at Battle and Langton school for children with SEMH needs (8 places).
- 2.3 Each November, the Local Authority is required to identify the number of High Needs places that will be commissioned across special schools, specialist facilities and FE colleges. The numbers commissioned in 2019/20 and those for 2020/21 are outlined in Appendix 1. In September 2020, there will be:
- an overall increase in the number of specialist facility places by 5 (in addition to those outlined in 2.2 above);
 - an overall increase in the number of special school places by 24 (in addition to those at Cuckmere House, outlined in 2.2 above);
 - an overall increase in the number of places in FE colleges by 17.
- 2.4 In addition to these places, the Ropemaker Free School will be opening in September 2020 providing up to 20 KS3 places over the academic year. The Workplace Alternative Provision Free School will also be providing 74 places on a dual-roll basis from September (increasing to 94 from September 2021) for secondary-aged pupils.
- 2.5 In addition as presented to Schools' Forum last year, the LA has established clear criteria for ensuring high occupancy at all commissioned provision. This includes:
- From September 2019, top up funding being recouped should the commissioned number of places remain under capacity by 5% or more for 3 months. This would be done in 3 instalments throughout the year by a reduction in the SVT to account for any up-front over payment.
 - Where pupils are consistently not attending (including dual roll elsewhere), the LA will ask Special Schools to place additional pupils into these places. Where this happens, schools would receive additional top-up (but not place funding) for each additional pupil.

3. Future High Needs Funding Arrangements

- 3.1 The arrangements for the funding of SEND provision from 2022 onwards remain unclear. There are a number of reviews underway at a national level looking at a broad range of aspects of the SEND system which include how SEN provision can be funded at both a school and LA level.
- 3.2 Early suggestions from the DfE, following significant overspends in the High Needs Block in many other Local Authorities, are that the government want to establish a clear delineation between High Needs Block and council funding by removing any facility for council funding to offset overspends in the High Needs block. Should this come to fruition, this will mean that any pressure on the High Needs Block in future years will have to be met solely from schools' block funding.
- 3.3 We have also recently become aware that the current thinking from the DfE around how to address the deficit in High Needs funding is in effect, to 'write off' existing Local Authority debt by central government and that the allocation for High Needs funding from 2022/23 will be based upon historic spending at a Local Authority level. In East Sussex, where LA and schools have worked hard to successfully bring expenditure within the existing High Needs budget (and thereby minimise the impact on mainstream schools through interblock transfers), this proposal raises significant concerns. Namely in that:
- it runs contradictory to the current National Funding Formula (being predominantly based on pupil characteristics);
 - it will not create the conditions for long-term sustainability within the system.

- 3.4 If this proposal were to go ahead, Local Authorities like East Sussex could be in the position where they have proportionately more children with Education Health and Care Plans than national averages, but are funded less favourably than those with fewer EHCPs but have a poorer record of financial management. The leader of the council has written to the secretary of state to raise concerns about this proposal. Further updates will be provided once and firm details are known.

Nathan Caine
Head of ISEND